GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

STARRED QUESTION NO:183
ANSWERED ON:04.03.2003
FEE HIKE IN PROFESSIONAL COLLEGES
N.N. KRISHNADAS

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the recent Supreme Court pronouncement has allowed the professional colleges to fix the fee for higher education;

(b) if so, whether this decision will result in unchecked fee hikes in the professional colleges and affect the economically backward sections adversely;

(c) if so, whether the Government have evolved any mechanism to check the arbitrary fee hikes in order to protect the interests of the disadvantaged sections; and

(d) if so, details thereof?

Answer

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT, MINISTER OF SCIENCE AND TECHNOLOGY AND MINIS OCEAN DEVELOPMENT (DR. MURLI MANOHAR JOSHI)

(a) to (d) : A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN PARTS (a) TO (d) OF THE REPLY TO THE LOK SABHA STARRED QUESTION NO. 183 FO 04.03.2003 ASKED BY SHRI N.N. KRISHNADAS REGARDING FEE HIKE IN PROFESSIONAL COLLEGES

`The Hon'ble Supreme Court in its Judgment dated 31st October, 2002 in the T.M.A. Pai Foundation & Others Versus State of Karnataka & Others Case has inter-alia pronounced that, in professional un-aided institutions, a rational fee structure should be adopted by the Management, which would not be entitled to charge a capitation fee. Appropriate machinery can be devised by the state or university to ensure that no capitation fee is charged and that there is no profiteering, though institutions may be permitted to accumulate a reasonable surplus for furtherance of education.

The Hon'ble Supreme Court also observed that, a certain percentage of the seats can be reserved for admission by the Management out of those students who have passed the common entrance test held by itself or by the State/ University and have applied to the college concerned for admission, while the rest of the seats may be filled up on the basis of counselling by the state agency. This will incidentally take care of poorer and backward sections of the society.

The process of consultation with the State / UT Governments and other stakeholders for evolving mechanism for implementation of the Judgment is in progress, both at the Ministry and the AICTE (All India Council for Technical Education) level. The Ministry has also set up a Committee to look into the implications of the Judgment and in the light of its recommendations, interest of the poor and meritorious students would be protected.

AICTE, in fulfilment of its statutory obligations under the AICTE Act, 1987 which empowers them to fix norms and guidelines for charging tuition fee and other fees and also to take all necessary steps to prevent commercialisation of Technical Education, is contemplating to bring out Regulations to facilitate the States / UTs to formulate appropriate fee structures`.